

REMARKS

Amendments to the Claims:

Claim 8 has been amended to add various elements and/or limitations as indicated hereinabove. The amendments to claim 8 find support at least in the specification at page 14, line 6 through page 15, line 9, and/or Figs. 8 and 9 of the drawings. No new matter has been added by way of amendments to the claims.

New Claims:

New claims 38 and 39 have been added, and those claims depend from claim 8. New claims 40-54 have also been added, of which claims 40 and 48 are independent. New claims 41-47 depend from claim 40, and new claims 49-54 depend from claim 48. Support for new claims 38-54 is found at least in the specification at page 14, line 6 through page 15, line 9, and/or Figs. 8 and 9 of the drawings. No new matter has been added by way of the new claims.

Rejection of Claims Under 35 U.S.C. § 103:

Claim 8 has been rejected under 35 U.S.C. 103(a) as being unpatentable over Couturier (US 6,296,601), and claims 8, 9 and 11 have been rejected under 35 U.S.C. 103(a) as being unpatentable over Boronka et al. (US 5,417,642) in view of Couturier.

As a basis for making the rejections of claims 8, 9, and 11, the Examiner points out that Couturier mentions "retractable anvil blade assemblies" in column 1, lines 25-27. The Examiner makes no other contentions in regard to what the prior art discloses with respect to anvils.

As the Applicant has previously noted, the standard for an obviousness rejection requires, among other things, that all of the claim limitations are taught or suggested by the prior art. (MPEP 2143.03.) That is, "when evaluating claims for obviousness under 35 U.S.C. 103, all the limitations of the claims must be considered and given weight..." (Id.)

The Applicant's claim 8 contains at least the following elements and/or limitations:

1 a second roller having an elongated slot formed therein and disposed
2 proximate the first roller such that a sheet of media moving along the media path
3 passes between the first roller and the second roller; and,

4 a cutting anvil disposed within the second roller and operably moveable along
5 a path substantially transverse relative to the elongated slot from a first position in
6 which the cutting anvil is withdrawn from the slot to a second position in which the
7 anvil is exposed within the slot.

8 The Applicant contends that the prior art, including Couturier, do not teach or
9 suggest all of the claim limitations required by claim 8.

10 Rather, at most, Couturier mentions only "retractable anvil blade assemblies",
11 and nothing more.

12 Therefore, claim 8 is not obvious in view of the prior art because the prior art
13 does not teach or suggest all of the claim limitations as is required for an
14 obviousness rejection. Accordingly, the Applicant respectfully requests that the
15 rejection of claim 8 be withdrawn and that claim 8 be allowed.

16 The Applicant notes that claims 9 and 11 depend from claim 8. Therefore,
17 claims 9 and 11 include all of the elements and/or limitations of claim 8, and claims 9
18 and 11 are not obvious in view of the prior art for at least the reasons set forth
19 hereinabove with respect to the arguments against the rejection of claim 8.
20 Accordingly, the Applicant respectfully requests that the rejections of claims 9 and 11
21 be withdrawn and that claims 9 and 11 be allowed.

22 Petition for Extension of Time:

23 The Advisory Action indicates that the period for reply expires three (3)
24 months from the date of the final action. However, in accordance with MPEP
25 706.07(f), and as is noted in the final action, the shortened statutory period for reply
to the final action expires three (3) months from the mailing date of the final action,
provided that, in the event that a first reply to the final action is filed within two (2)
months of the mailing date of the final action, and if the advisory action is not mailed
until after the end of the three-month shortened statutory period, then the shortened
statutory period will expire on the date the advisory action is mailed, and any
extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of
the advisory action.

1 As is noted hereinabove, the final action was mailed on February 09, 2005.
2 The Applicant's first response to the final action was filed on April 06, 2005, or within
3 two months of the mailing date of the final action. The advisory action was mailed on
4 May 26, 2005, which is after the expiration of the three-month shortened statutory
5 period. Therefore, the shortened statutory period expired on the date the advisory
6 action was mailed, which date is May 26, 2005.

7 Accordingly, the Applicant herewith petitions the Commissioner of Patents
8 and Trademarks to extend the time for reply to the final action dated February 09,
9 2005 for one month from May 26, 2005 to June 26, 2005. Please charge deposit
10 account number 08-2025 in the amount specified on the attached Transmittal Letter
11 to cover the cost of the extension. Any deficiency or overpayment should be
12 charged or credited to the above numbered deposit account.

13 Time for Filing When Period Ends on Sunday:

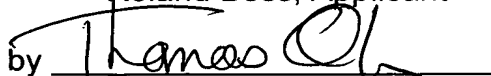
14 In accordance with 37 CFR 1.7, "when the day...for taking any action...in the
15 Patent and Trademark Office falls on...Sunday,...the action may be taken...on the
16 next business day which is not a Saturday, Sunday, or a Federal holiday." The
17 Applicant notes that June 26, 2005 (which is the date for filing this action) is a
18 Sunday, and that this action may therefore be timely filed on the next business day,
19 which is Monday, June 27, 2005.

20 **SUMMARY**

21 The Applicant believes that this communication constitutes both a request for
22 continued examination, and a full and complete response to the final action mailed
23 02/09/2005. Also, the Applicant respectfully requests withdrawal of the rejections of
24 claims 8, 9 and 11, and timely allowance of claims 8, 9, 11, and claims 38-54.
25

Date: June 27, 2005

Respectfully submitted,
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by 

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Request for Continued Examination*